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SUBJECT: UGANDA: DONOR GROUP STATEMENT ON TRANSPARENCY OF 2011
PRESIDENTIAL ELECTION

11. (SBU) Summary: On October 2, local newspapers prominently published a statement by international donors on the importance of free, fair and peaceful elections in Uganda in 2011. The statement was drafted by the British High Commission on behalf of the Partners for Democracy and Governance Group, the Chief of Mission-level donor coordination body in Uganda. As a key member of the PDG, the U.S. Mission cleared and provided input for the letter and the United States was listed as a PDG member when the letter was published in the press. The statement stresses the importance of freedom of expression, an impartial Electoral Commission, meaningful electoral reform, and constructive dialogue in advance of 2011. The text of the statement is attached below. End Summary.

12. (SBU) The following statement from the Partners for Democracy and Governance Group (PDG) represents an attempt to articulate the growing concerns of donors, echoed by Ugandans themselves, about the country's political readiness for landmark Presidential, Parliamentary and local-level elections in early 2011. The PDG comprises Ambassadors and Chiefs of Mission from Austria, Belgium, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, the Netherlands, Norway, Sweden, the U.K., the U.S., the European Commission, and the U.N. The U.S. Mission and all other PDG members cleared on the text, which was drafted by the British High Commissioner, the current PDG Chair. Uganda's two largest daily newspapers, the New Vision and the Daily Monitor, both carried the full text on October 2. The New Vision ran a front page article on the letter, under the banner headline "Diplomats Speak Out On 2011 Polls."

Statement Text:

UGANDA'S 2011 ELECTIONS

From boda-boda drivers in Kampala to pastoralists in Karamoja, just about everyone in Uganda appears to have a view on Uganda's next Presidential and Parliamentary elections in 2011. As friends and partners of Uganda, the liveliness of the debate seems to us testament to the importance of democracy to Ugandans and good news for Uganda's future. We welcome the progress Uganda has made in its democratic development since its recovery from the earlier years of conflict and dictatorship. We see the next elections as a further opportunity for Uganda to continue on this positive journey and deepen the process of democratisation in Uganda.

Responsibility for Uganda's political future of course rests firmly with the Ugandan people through their government, elected representatives, political parties and civil society. It is not for outsiders to prescribe how this should happen. But as representatives of countries or institutions committed to supporting Uganda's economic and political development, there are a number of issues that seem to us important to the preparation and conduct of free, fair and peaceful elections in 2011.

While acknowledging the progress that has been made, we are also aware that Uganda's Supreme Court in its judgement on the 2006 elections identified a number of problems. These included the use of bribery and intimidation, and the undermining of the principles

of equal suffrage and the transparency and secrecy of the ballot by multiple voting and vote stuffing in some areas. The Supreme Court expressed particular concern about the continued involvement of the security forces in the conduct of elections, disenfranchisement of voters by deleting their names from the voters' register, partisan conduct and malpractice by electoral officials, and the inadequacy of voter education.

It is worth noting that electoral observers, including the East African Community, the European Union and Commonwealth observation missions, identified similar shortcomings and expressed concern about the use of public resources in the election campaign.

This seems to us to indicate a number of areas that will be particularly important in preparation for Uganda's next elections.

First, respect for the rule of law and international conventions. This imposes responsibilities on all concerned. Respect for basic freedoms and human rights, such as the rights of free assembly and free expression and the freedom of the media, are essential to democratic debate. In this respect broad debate and acceptance of a renewed Public Order Act would be helpful to ensure responsible use of these rights by all stakeholders.

Second, building trust in the credibility of the electoral process and outcome. We applaud the Government's commitment to take this forward in its Africa Peer Review Mechanism National Plan of Action.

It is particularly important in this context that the Electoral Commission demonstrates its impartiality, independence and competence.

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Third, a clear electoral framework. We note a number of proposals for amendments to electoral legislation, including in electoral observation mission reports in 2006. This is a subject for debate by Uganda's Parliament and people. It is important that changes to legislation bearing on the elections are subject to full consultation and agreed in good time. We agree with Prime Minister Nsibambi when he said that any such changes should be agreed and in place at least a year before the elections.

Fourth, a level playing field. Both the Presidential Elections Act and the Parliamentary Elections Act prohibit candidates from using government or public resources for the purpose of campaigning for election. Multiparty democracy demands that there be a clear division between party and public finances and equal access to the media. It also demands that legislation governing the conduct of political parties be enforced impartially. We note in this context that the Political Parties and Organisations Act states that political parties should make an annual statement of their financial assets and liabilities and calls for a code of conduct for political parties.

Fifth, the voter registration process, voter education and organisation of polling stations. The Supreme Court judgement was clear that there were failings in the process of voter registration before the 2006 elections. It will be important that these mistakes are not repeated in 2011, that there is an active programme to inform voters of their rights and responsibilities and that there is adequate and timely organisation of polling stations.

And lastly, sensible and constructive dialogue among Uganda's political leaders and parties on these and other issues seems to us essential in ensuring that the elections and the preceding campaigns are conducted peacefully and fairly. In this context we note that the Political Parties and Organisations Act states that there should be a national consultative forum for political parties and organisations to resolve disputes and ensure compliance with the code of conduct for political parties.

None of us underestimates the challenges of building a robust and fair democratic settlement or the challenges Uganda has had to overcome in its political progress. In many of our countries establishing a democratic system that commanded popular support took

hundreds of years. But we trust and hope that the 2011 elections will mark a clear step forward in Uganda's democratic history, and that free, fair and peaceful elections will provide a basis for strengthening our partnership with Uganda. Many of us are already providing technical support and assistance to Parliament, the Electoral Commission and civil society to this end. As friends and partners we wish Uganda every success with the next stage of the country's democratic journey.

End Statement.

HOOVER